

## **Minutes of the Land Use, Parks and Environment Committee - May 20, 2003**

The meeting was called to order at 8:40 a.m. by Chair Kolb.

**Present:** Chair Walter Kolb, County Board Supervisors Pauline Jaske, Scott Klein, Vera Stroud, Daniel Pavelko (arrived at 9:32 a.m.); **Absent:** James Jeskewitz and Matt Thomas

**Staff Present:** Legislative Policy Advisor Mark Mader, Legis. Associate Sandra Meisenheimer

**Also Present:** Parks and Land Use Director Dale Shaver, Parks System Manager Jim Kavemeier, Planning & Zoning Manager Dick Mace, Chairman Jim Dwyer

### **Approve Minutes of May 6, 2003**

**Motion:** Klein moved, second by Stroud, to approve the minutes of 5/6/03. **Motion carried 4 – 0.**

### **Consider Proposed Ordinance: 158-O-015 Radtke Property Acquisition**

Kavemeier distributed a handout with property information and comparable lands for sale in the Town of Vernon, a location map, a site map and property photos. The ordinance authorizes acquisition of approximately 20.9 acres for future parkland and/or open space development through the Walter J. Tarmann Parkland Acquisition fund at an estimated cost not to exceed \$94,500. An additional \$1,450 is estimated for transaction costs associated with the property acquisition. The county will pursue the receipt of partial State or Federal funding for purchase costs which would be accounted for in the Tarmann Fund. A long committee discussion continued.

Kavemeier stated the Radtke parcel does implement the Fox River Greenway Plan. The appraised price and the purchase price are the same. The assessed value of the property is \$43,150. The number of buildable lots is two. Kolb asked how far back do you like to go from the river on the greenway plan? Kavemeier said it depends on the resources. It primarily will be wetlands or a high quality vegetation or wildlife area so it depends on what the mapping indicates. The areas within the greenway are subject to flooding but not necessarily all the way out to the 100-year floodplain. Kolb said I assume you want to purchase the two properties to the south of the Radtke property also? Kavemeier said yes that is all part of the long-range plan that is in the Park and Open Space Plan. Kavemeier briefly reviewed other parcels in the Fox River Greenway Plan.

**Motion:** Jaske moved, second by Stroud, to approve Proposed Ordinance 158-O-015. **Motion carried 5 – 0.**

### **Consider Proposed Ordinance: 158-O-017 Authorize Sale of Lot on Mariner Drive to Adjacent Property Owners**

Kavemeier distributed a handout with property information, location map, site map, and property photos. This is not a buildable lot no matter what configuration is used. The ordinance authorizes the sale of a 0.10 acre parcel owned by Waukesha County for the sale price of \$25,000. Proceeds of the sale will be deposited into the Tarmann Fund for future parkland acquisitions. Kavemeier stated there are residences on both sides of the lot. The acquisition of this property does not create enough land for another lot.

**Motion:** Jaske moved, second by Pavelko, to approve Proposed Ordinance 158-O-017. **Motion carried 5 – 0.**

### **Consider Proposed Ordinance: 158-O-008 Amend the Waukesha County Shoreland and Floodland Protection Ordinance of the Town of Oconomowoc by Conditionally Rezoning**

**Certain Lands Located in the NW ¼ of The SW ¼ of Section 35, T8N, R17E, Town of Oconomowoc, from the R-2 Residential District to the B-2 Local Business District (SZ-1476)**

Mace explained the rezoning amendment which is proposing zoning to the B-2 Local Business District with the proposed land use for a retail business center, office space and future duplex. The Planning and Zoning Division staff is recommending approval for the B-2 Local Business District south of the relocated Lakeshore Drive subject to six conditions as outlined in the staff recommendation. The requested R-3 Residential District category north of the road is being denied.

**Motion:** Stroud moved, second by Pavelko, to approve Proposed Ordinance 158-O-008. **Motion carried 5 – 0.**

**Consider Proposed Ordinance: 158-O-009 Amend the Waukesha County Shoreland and Floodland Protection Ordinance of the Town of Oconomowoc by Conditionally Rezoning Certain Lands Located in Part of the NE ¼ of Section 14, T8N, R17E, Town of Oconomowoc, from the A-P Agricultural Land Preservation District to the EC Environmental Corridor District (SCZ-1477)**

Mace explained the rezoning which proposes zoning to the EC-Environmental Corridor District which permits densities of one unit per five acres. There is no change in the proposed land use from the present, although the petitioner has created a two-lot land division off the 49-acre property, including one parcel of 38.7 acres, portions of which contain Ag Preservation category lands and a 10-acre parcel on which the existing house is located. The Planning staff is recommending approval in accordance with the Town of Oconomowoc's action, as outlined in the staff recommendation.

**Motion:** Klein moved, second by Pavelko, to approve Proposed Ordinance 158-O-009. **Motion carried 5 – 0.**

**Consider Proposed Ordinance: 158-O-010 Amend the Town of Genesee District Zoning Map of the Waukesha County Zoning Code for the Town of Genesee by Conditionally Rezoning Certain Lands Located in Part of the NW ¼ of Section 27, T6N, R18E, Town of Genesee, from the Conditional B-2 Local Business District to the Conditional B-3 General Business District (CZ-882D)**

Mace explained the zoning amendment which is proposing Conditional B-3 General Business District for a restaurant with an attached dance hall. The Planning staff is recommending approval subject to nine conditions as outlined in the staff recommendation.

**Motion:** Jaske moved, second by Stroud, to approve Proposed Ordinance 158-O-010. **Motion carried 4 – 1; Klein voting no.**

**Consider Proposed Ordinance: 158-O-011 Amend the Town of Oconomowoc District Zoning Map of the Waukesha County Zoning Code for the Town of Oconomowoc by Conditionally Rezoning Certain Lands Located in Part of the NE ¼ of Section 10, T8N, R17E, Town of Oconomowoc, from the A-1 Agricultural District to the M-1 Limited Industrial District (CZ-889C)**

Mace explained the rezoning which is proposing M-1 Limited Industrial District for a boat storage and wholesale lumber company. The Planning staff is recommending approval subject to four conditions as outlined in the ordinance. Jaske said lumber people probably have a hard time making a living nowadays with the economy the way it is so this person is taking the opportunity to maximize with the boats. Klein said if someone wants to have a different use for it, then it should

be presented. Jaske said they will when the time comes when they purchase the property. Also, if the Town is agreeing and the neighbors too, Jaske said she cannot vote against the Town. Klein said the expanded use of the boats does not comply.

**Motion:** Pavelko moved, second by Jaske, to approve Proposed Ordinance 158-O-011. **Motion defeated 2 - 3; Klein, Pavelko and Stroud voting no.**

**Motion:** Stroud moved, second by Kolb, to reconsider Proposed Ordinance 158-O-011. Klein said his concern is if the whole thing is used for boat storage, you're not going to see just a few boats, the whole thing is going to be full of boats. This should be rezoned for boat storage. **Motion carried 3 – 2; Klein and Pavelko voting no.**

**Motion:** Stroud moved, second Jaske, to approve Proposed Ordinance 158-O-011. **Motion carried 3 – 2; Klein and Pavelko voting no.**

**Consider Proposed Ordinance: 158-O-012 Amend the Waukesha County Shoreland and Floodland Protection Ordinance of the Town of Summit Rezoning Certain Lands Located in Part of the NE ¼ of Section 24, T7N, R17E, Town of Summit, from the A-3 Suburban Estate District to the R-1 Residential District (SZ-1481)**

Mace reviewed the rezoning which is proposing R-1 Residential District for a Planned Unit Development (PUD) to accommodate a total of five dwelling units – the existing single family residence, and two buildings with two attached single family, one story, one bedroom condominium units per building for a total of four condominium units. The planning staff is recommending denial since the Town of Summit Plan Commission's denial of the proposal dictates that Waukesha County cannot approve the request without the Town's approval.

**Motion:** Pavelko moved, second by Stroud, to approve Proposed Ordinance 158-O-012. **Motion defeated 0 – 5; Jaske, Klein, Kolb, Pavelko and Stroud voting no.**

**Consider Proposed Ordinance: 158-O-013 Amend the Text of the Town of Waukesha Zoning Code (ZT-1472)**

Mace stated that the Town has been working for a number of months on providing new Open Space definitions. This is not a huge amendment but for the most part involves open space provisions that are now being provided and the bonus is for development with PUD's (Planned Unit Developments). The Planning staff is recommending in favor of these amendments and will continue to work with the Town to consider future amendments to incorporate the county's Open Space/Green Space concepts.

**Motion:** Stroud moved, second by Jaske, to approve Proposed Ordinance 158-O-013. **Motion carried 5 – 0.**

**Motion to adjourn:** Pavelko moved, second by Jaske, to adjourn the meeting at 11:43 a.m.  
Motion carried 5 – 0.

Respectfully submitted,

Pauline T. Jaske  
Secretary

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